

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application Of:	)	<b>Att.: Box Missing Parts</b>
	)	
Frederick J. DOJAN, et al.	)	<b>Group Art Unit: 3728</b>
	)	
Serial No. 10/767,211	)	<b>Examiner: TBD</b>
	)	
Filed: January 28, 2004	)	<b>Docket No. 005127.00275</b>
	)	
For: <b>ARTICLE OF FOOTWEAR HAVING A</b>	)	
<b>FLUID-FILLED BLADDER WITH A</b>	)	
<b>REINFORCING STRUCTURE</b>	)	

**SUBMISSION OF MISSING PARTS OF NONPROVISIONAL APPLICATION**

Commissioner for Patents  
Alexandria, VA 22313

Sir:

Pursuant to the Notice to File Missing Parts of Application dated June 15, 2004,

Applicants hereby submit their executed Declaration in the above Application. The

Commissioner is hereby authorized to charge deposit account 19-0733 for a total of \$2,874.00,

which includes the basic filing fee of \$790.00, \$1,602.00 for 89 claims over 20, \$362.00 for 4

independent claims over 3, the \$130.00 surcharge as set forth in 37 C.F.R. §1.16(e), and \$430.00

for a two-month extension of time. Should any additional fees be necessary, the Commissioner

is authorized to charge the cost of the additional fees to deposit account 19-0733.

The submission of these missing parts, and two month extension of time, is timely filed by virtue of its filing by facsimile on October 12, 2004. However, should any extension or additional fee be required for the filing of these papers, such extension is requested and the Commissioner is hereby authorized to charge said fee to our Deposit Account No. 19-0733.

Respectfully submitted,

By:   
Byron S. Kuzara, Registration No. 51,255

Banner & Witcoff, Ltd.  
1001 G Street, N.W.  
Washington, D.C. 20001-4597  
Telephone: 503-425-6800

Dated: October 12, 2004



**BANNER & WITCOFF, LTD.**  
INTELLECTUAL PROPERTY LAW

601 SW SECOND AVENUE, # 1900  
PORTLAND, OREGON 97204

TEL: 503.425.6800  
FAX: 503.425.6801  
www.bannerwitcoff.com

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**FACSIMILE TRANSMITTAL SHEET**

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**To:**  
Office of Initial Patent Examination -  
Missing Parts

**FROM:**  
Byron S. Kuzara

**COMPANY:**  
USPTO

**DATE:**  
October 12, 2004

**FAX NUMBER:**  
703-746-4060

**TOTAL No. OF PAGES:**  
15

**RE:**  
App. No. 10/767,211

**OUR REFERENCE No.:**  
005127.00275

*If you do not receive all page(s) or have any problems receiving this transmission, please call:*

**NAME:** Lesa Wolman

**PHONE:** 503-425-6800

**COMMENTS:**



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PTO/SB/97 (06-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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I hereby certify that this correspondence is being facsimile  
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Date

By *S. K.*  
Signature

Byron S. Kuzara, #51,255  
Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this  
certificate must identify each submitted paper.

Fee Transmittal (1 page)  
Petition for Extension of Time (1 page)  
Submission of Missing Parts (2 pages)  
Executed Declaration (2 pages)  
Copy of Notice to File Missing Parts (2 pages)  
Supplemental Application Data Sheet (5 pages)

Serial No. 10/767,211  
Attorney Docket No. 005127.00275

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-04)

Approved for use through 07/31/2008. OMB 0631-0032  
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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 3904

## Complete If Known

Application Number 10/767,211  
Filing Date 1/28/04  
First Named Inventor Frederick J. Dojan, et al.  
Examiner Name TBD  
Art Unit 3728  
Attorney Docket No. 005127.00275

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 19-0733

Deposit Account Name Banner & Witcoff, LTD.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility filing fee	790
1002	350	2002	175	Design filing fee	
1003	650	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 790)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
109	-20 **	89	1802
Independent Claims	7	-3 **	4
Multiple Dependent	0		300

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description
1202	16	2202	9	Claims in excess of 20
1201	68	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	68	2204	44	-- Reissue independent claims over original patent
1206	16	2206	9	-- Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 1854)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	85	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	430
1253	690	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	480	2502	245	Design issue fee	
1503	680	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Director	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (c)	
1806	180	1806	180	Submission of Information Disclosure Statement	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 560)

## SUBMITTED BY

Name (Print/Type) Byron S. Kuzara

Registration No. (Attorney/Agent) 51,255

Telephone 503-425-8800

Signature *Byron S. Kuzara*

Date 10/7/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is submitted to date 12 pursuant to compact, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING OR 371 (e) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,211	01/28/2004	Frederick J. Dojan	005127.00275

22909  
BANNER & WITCOFF, LTD.  
1001 G STREET, N.W.  
WASHINGTON, DC 20001-4597

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JUN 17 2004

BANNER &amp; WITCOFF

CONFIRMATION NO. 2584

FORMALITIES LETTER



\*OC000000012943880\*

Date Mailed: 06/15/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of ~~\$1948~~ as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2846** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

10767211

190733

10/14/2004 JBALINAN 00000148

790.00 DA

352.00 DA

1602.00 DA

130.00 DA

01 FC:1001

02 FC:1201

03 FC:1202

04 FC:1051

- Total additional claim fee(s) for this application is **\$1946**

- **\$344** for 4 independent claims over 3.
- **\$1602** for 89 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
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*A copy of this notice **MUST** be returned with the reply.*



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